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| 09/998,926 | 11/30/2001 | Shawn P. Delany | 21756-012300 | 4296 |

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| EXAMINER |
|---|
| JEAN GILLES, JUDE |

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| 2143 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>29 May 2007</u>.

2a)☒ This action is **FINAL**.    2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>15-21,23-28,35-38,44-46,48,49,51 and 52</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>15,19-21,23-25,28,35-38,44-46 and 48</u> is/are rejected.

7)☒ Claim(s) <u>16-18,26,27,49,51 and 52</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>30 November 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>See Continuation Sheet</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:02/28/2002;07/03/2003; 03/15/2004; 03/17/2004;03/14/2005;06/27/2006; and 07/16/2007   .

## DETAILED ACTION

This Action is in regards to the Reply received on 05/29/2007.

### *Response to Amendment/arguments*

1.      In this Reply, 15-17, 21, 25-28, 35, 36, 44, 48, 49, 51, and 52 have been

amended, no claims have been added, and no claims have been canceled herein.

Therefore, claims 15-21, 23-28, 35-38, 44-46, 48, 49, 51, and 52 remain pending in the

application and represent a method and system for "DETERMINING GROUP

MEMBERSHIP".

2.      Applicant's arguments with respect to claims 15, 35, 44, and 48 have been

carefully considered, but are not deemed fully persuasive.  Applicant's arguments are

deemed moot in view of the existing ground of rejection as reiterated below. The

combination Lection-Burkett discloses the claimed limitations as specified under 35

U.S.C. 103(a).  In the interest of expediting the prosecution of the application, the

Examiner has identified allowable subject matter in the language of claims 16-18, 26,

27, 49, 51, and 52.  The Examiner thanks applicants for a duly reply, although they have

mischaracterized the essence of the teachings of the prior art of record for independent

claims 15, 35, 44, and 48.

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to

"clearly point out the patentable novelty which he or she thinks the claims present in

view of the state of the art disclosed by the references cited or the objections made. He or she must show the amendments avoid such references or objections."

Applicant's Request for Reconsideration filed on 05/29/2007 has been carefully considered but is not deemed fully persuasive. However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicants' main points of contention:

A: Applicants contend that "In order to establish *a prima facie* case of obviousness, the Office Action must establish: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine their teachings; 2) a reasonable expectation of success of such a modification or combination; and 3) a teaching or suggestion in the cited prior art of each claimed limitation. See MPEP § 706.02(j).

B: Applicants contend that the references cited by the Office Action do not teach or suggest each claimed limitation. For example, neither reference, alone or in combination, teaches or suggests determining dynamic members of a <u>user</u> group."

C: Applicants contend that Lection discloses "dynamically variable record formats" and "dynamically variable fields" but not determining dynamic members of a user group. However, Lection does not teach or suggest determining dynamic members of a user group. Neither reference teaches or suggests determining dynamic members

of a user group based on a rule that defines dynamic membership for that group,

wherein the rule is stored in a dynamic rule attribute of an identity profile of the group.

As to point A, see rejection of claim 1 below.

As to point B, new reference of Bartoli teaches determining dynamic members of

a _user_ group (see Bartoli, abstract; figs. 1 & 2; section 2.2); and

As to point C, see point B above, and the rejection of claim 15.

### *Allowable Subject Matter*

3.     **Claims 16-18, 26, 27, 49, 51, and 52** are objected to as being dependent upon a

rejected base claim, but would be allowable if rewritten in independent form including all

of the limitations of the base claim and any intervening claims.

### *Claim Rejections - 35 USC § 103*

4.     The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.     **Claims 15, 19-21, 23-25, 28, 35-38, 44-46, and 48** are rejected under 35

U.S.C. 103(a) as being unpatentable over Lection et al (hereinafter Lection) U.S. Patent

No. 6,418,446 in view of Burkett et al (hereinafter Burkett) U.S. Patent No. 6,671,853

B1, further in view of Alberto Bartoli (hereinafter Bartoli) NPL publication titled "Group-

based multicast and dynamic membership in wireless networks with incomplete spacial

coverage", published in 1998 by Baltzer Publishers BV.

**Regarding claim 15:** Lection discloses the invention substantially as claimed.

Kavacheri teaches a method for identifying members of a group (fig. 3A-D),

comprising the steps of:

determining dynamic members of a first user group based on a rule that

defines dynamic membership for said first user group, wherein said rule is stored in a

dynamic rule attribute of an identity profile of said first user group (column 3, lines 40-

57; Note that as a rule, will become a user group node and that the ID attribute is the ID

profile of the 1$^{st}$ user group);

storing an identification of each of said dynamic members of said first user

group (column 3, lines 40-57);

determining nested members of said first user group (column 12, lines 31-37);

storing an identification of each of said nested members of said first user group

(column 13, lines 5-23);

receiving a request to report members of said first user group, said request is

received subsequent to said step of storing (fig. 3D; column 12, lines 22-38; The output

DOM tree is similar to the memberhip report stated in the claim); and

reporting said dynamic members and said nested members of said first user

group in response to said request, said reporting of said dynamic members is performed

based on said stored identification of said dynamic members and said reporting of said

nested members is performed based on said stored identification of said nested

members (fig. 3D; column 12, lines 22-51). However, Lection does disclose the details of such user group members of the first user group being dynamic and static members within the nested user group members.

In the same field of endeavor, Burkett et al discloses an"... *In a first aspect, this technique comprises: processing each of a plurality of nodes of an input Document Object Model (DOM) tree representing a document to be selectively streamed, wherein each of the nodes has either a static indicator or a dynamic indicator associated therewith; streaming each of the processed nodes which has the static indicator to a serialized binary output stream; and streaming each of the processed nodes which has the dynamic indicator to one or more non-binary output files. This technique may further comprise: processing a transition from binary mode to tag mode upon detecting a change from processing nodes having the static indicator to processing nodes having the dynamic indicator; and processing a transition from tag mode to binary mode upon detecting a subsequent mode change wherein the processed nodes had the dynamic indicator but now have the static indicator...*" [*see Burkett; column 4, lines 30-46*]. In an attempt to fully utilize the function of viewing and managing the membership of group, employing a user group that comprise static and dynamic members make sense. Furthermore, applicants argue in the Reply dated 05/29/2007 that Both Lection and Burkett do not disclose group membership wherein members are defined as users of the system.

In an analogous art, Bartoli discloses a protocol in which group members may be users of mobile computers and such that the group membership may change dynamically (see Bartoli; abstract, figs. 1 & 2, and section 2.2).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Burkett's teachings of using dynamic and static members within the nested group members with the teachings of Lection. Given these features, an ordinary skill can combine the dynamic user group membership of Bartoli so that users of mobile computers can dynamically join, leave or stay in the group as stated by Bartoli in the introduction portion of his teachings. By this rationale, **claim 1** is rejected.

**Regarding claims 19-21, 23-25, 28, 35-38, 44-46, and 48 the combination** Lection- Burkett-Bartoli discloses:

19. (Original) A method according to claim 15, wherein:

said steps of determining and storing are automatically repeated (see Lection; column 3, lines 40-57; column 13, lines 5-23).

20. (Original) A method according to claim 15, wherein:

said steps of determining, storing and receiving are performed by an integrated identity and access system (see Lection; column 3, lines 40-57; column 13, lines 5-23).

21. (Original) A method according to claim 20, wherein:

said integrated identity and access system is capable of performing authorization services based on membership in said first user group.

23. (Currently Amended) A method according to claim -2-g 15, wherein:

said nested members include members of multiple levels of nested user groups.

24. (Currently Amended) A method according to claim -2--2 15, wherein:

said step of determining nested members includes recursively determining

members of user group members.

25. (Currently Amended) A method according to claim -2--2 15, wherein:

said first user group includes one or more static members ; and

said step of reporting includes reporting said static members  [*see Burkett;*

*column 4, lines 30-65*].

28. (Original) A method according to claim 15, wherein:

said first user group includes one or more static members; and

said step of reporting includes reporting said static members [*see Burkett;*

*column 4, lines 30-65*].


35. (Currently Amended) One or more processor readable storage devices

having processor readable code embodied on said processor readable storage

devices, said processor readable code for programming one or more processors to

perform a method comprising the steps of:

determining dynamic members of a first user group based on a rule that

defines dynamic membership for said first user group, wherein said rule is stored in a

dynamic rule attribute of an identify profile of said first user group [*see Lection column 3, lines 40-57; see Burkett; column 4, lines 30-46*];

storing an identification of each of said dynamic members of said first user group (column 3, lines 40-57);

determining nested members of said first user group, said nested members include members of multiple levels of nested user groups (see Lection; column 12, lines 31-37);

storing an identification of each of said nested members of said first user group (see Lection; column 13, lines 5-23);

receiving a request to report members of said first user group, said request is received subsequent to said step of storing (see Lection; fig. 3D; column 12, lines 22-38); and

reporting said dynamic members and said nested members of said first user group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members and said reporting of said nested members is performed based on said stored identification of said nested members [see Lection; fig. 3D; column 12, lines 22-51; *see Burkett; column 4, lines 30-46*]; and [see Bartoli, abstract; figs. 1 & 2; section 2.2].

36. (Original) One or more processor readable storage devices according to claim 35, wherein:

said first user group includes one or more static members; and said step of reporting includes reporting said static members [*see Burkett; column 4, lines 30-65*].

37. (Original) One or more processor readable storage devices according to claim 36, wherein:

said steps of determining and storing are automatically repeated.

38. (Original) One or more processor readable storage devices according to claim 36, wherein:

said steps of determining, storing and receiving are performed by an integrated identity and access system(see Lection; column 3, lines 40-57).

44.    (Currently Amended) An apparatus that can determine members of a user group, comprising:

a communication interface (see Lection; fig. 1, items 16 and 22); and

one or more processors in communication with said communication interface (see Lection; fig. 1, item 12), said one or more processors perform a method comprising the steps of:

determining dynamic members of a first user group based on a rule that defines dynamic membership for said first user group, wherein said rule is stored in a dynamic rule attribute of an identity profile of said first user group and said first user group includes one or more static members (*see Lection column 3, lines 40-57 see Burkett; column 4, lines 30-46)*,

storing an identification of each of said dynamic members of said first user group [column 3, lines 40-57;*see Burkett; column 4, lines 30-46*],

determining nested members of said first user group, said nested members

include members of multiple levels of nested user groups (see Lection; column 12, lines 31-37);

storing an identification of each of said nested members of said first user group (see Lection; column 13, lines 5-23);

receiving a request to report members of said first user group, said request is received subsequent to said step of storing (see Lection; fig. 3D; column 12, lines 22-38), and

reporting said static members said dynamic members, and said nested members of said first user group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members and said reporting of said nested members is performed based on said stored identification of said nested members [*see Burkett; column 4, lines 30-46*] and [see Bartoli, abstract; figs. 1 & 2; section 2.2].

45. (Original) An apparatus according to claim 44, wherein:
said steps of determining and storing are automatically repeated (see Lection; column 3, lines 40-57).

46.   (Original) An apparatus according to claim 44, wherein:
said steps of determining, storing and receiving are performed by an integrated identity and access system (see Lection; column 3, lines 40-57)..

48.   (Currently Amended) An integrated identity and access system comprising:

an identity system adapted to determine dynamic members of a first user group based on a rule that defines dynamic membership for said first user group, wherein said rule is stored in a dynamic rule attribute of an identity profile of said first user group, store an identification of each of said dynamic members of said first user group, determine nested members of said first user group (see Lection; column 12, lines 31-37), store an identification of each of said nested members of said first user group (see Lection; column 13, lines 5-23), receive a request to report members of said first user group, said request is received subsequent to said step of storing, and report said dynamic members and said nested members of said first user group in response to said request(see Lection; fig. 3D; column 12, lines 22-38), said reporting of said dynamic members is performed based on said stored identification of said dynamic members and said reporting of said nested members is performed based on said stored identification of said nested members [*see Lection column 3, lines 40-5;* column 3, lines 40-57; *see Burkett; column 4, lines 30-46*]; and

an access system adapted to perform authentication services based on membership in said first user group (see Lection; column 1, lines 43-65), and [see Bartoli, abstract; figs. 1 & 2; section 2.2].

## *Conclusion*

6.      Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.


Jude Jean-Gilles

Patent Examiner

Art Unit 2143


JJG

August 04, 2007

DAVID WILEY
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